

United States Bankruptcy Court
Middle District of Tennessee

CDS Business Services, Inc., d/b/a Newte,
Plaintiff
America Cares Trust (ACT),
Defendant

Adv. Proc. No. 20-90140-RSM

CERTIFICATE OF NOTICE

District/off: 0650-3

User: admin

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Date Rcvd: Mar 03, 2022

Form ID: pdf001

Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 05, 2022:

Recip ID	Recipient Name and Address
dft	+ America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101
pla	+ CDS Business Services, Inc., d/b/a Newtek Business, c/o Daniel H. Puryear, Esq., Puryear Law Group, 104 Woodmont Boulevard, Suite 201 Nashville, TN 37205-2245

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cc	*+	America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101
cc	*+	America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101
cd	*+	America Cares Trust (ACT), 5655 Granny White Pike, Brentwood, TN 37027-4101
cd	*+	CDS Business Services, Inc., d/b/a Newtek Business, c/o Daniel H. Puryear, Esq., Puryear Law Group, 104 Woodmont Boulevard, Suite 201, Nashville, TN 37205-2245

TOTAL: 0 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 05, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 3, 2022 at the address(es) listed below:

Name	Email Address
DANIEL CHAMBERLIN FLEMING	on behalf of Creditor BANK OF AMERICA N.A. dfleming@wongfleming.com sshalloo@wongfleming.com
DANIEL HAYS PURYEAR	

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on behalf of Counter-Defendant CDS Business Services Inc., d/b/a Newtek Business Credit dpuryear@puryearlawgroup.com,
paralegalgroup@puryearlawgroup.com

JOHN THOMPSON BAXTER

on behalf of Defendant America Cares Trust (ACT) john.baxter@nelsonmullins.com jennifer.murray@nelsonmullins.com

MEGAN REED SELIBER

on behalf of U.S. Trustee US TRUSTEE megan.seliber@usdoj.gov

US TRUSTEE

ustpreion08.na.ecf@usdoj.gov

TOTAL: 5

Dated: 3/3/2022



IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

In re:)	
)	Case No. 3:19-bk-1971
CAPSTONE PEDIATRICS, PLLC,)	
)	Chapter 7
Debtor.)	
_____)	Judge Mashburn
)	
CDS BUSINESS SERVICES, INC. d/b/a)	
NEWTEK BUSINESS CREDIT,)	
)	
Plaintiff,)	
v.)	Adv. Proc. No. 3:20-ap-90140
)	
AMERICA CARES TRUST d/b/a)	
CARENATION,)	
)	
Defendant.)	

**ORDER SETTING STATUS/SCHEDULING CONFERENCE
ON MOTION TO SET ASIDE DEFAULT JUDGMENT**

America Cares Trust d/b/a CareNation (“CareNation”) has filed a motion to set aside a default judgment obtained by CDS Business Services, Inc. d/b/a Newtek Business Credit (“CDS”). It appears that there could be a number of factual and legal issues involved if the matter is not resolved by the parties. Accordingly, before addressing the merits of the motion, the Court will conduct a status/scheduling conference to consider any procedures that need to be put in place, a deadline for a response and any potential briefing on legal issues, expectations regarding witnesses and other evidence that may be presented, amount of time anticipated for a hearing, and a date for a hearing on the motion.

The Court already has a hearing and status/scheduling conference relating to an issue in the main bankruptcy case set for March 10, 2022. Since some of the same attorneys may be involved, the Court will conduct a status/scheduling conference regarding this adversary proceeding in conjunction with the matter in the main case. Therefore, the status/scheduling conference will be conducted at **10:30 a.m. on March 10, 2022, in Courtroom 1, Customs House, 701 Broadway, Nashville, TN.**

IT IS SO ORDERED.

This Order has been electronically signed. The Judge's signature and Court's seal appear at the top of the first page.
United States Bankruptcy Court.